

18-1-1. Liability of owners -- Scienter -- Dogs used in law enforcement.

(1) Every person owning or keeping a dog is liable in damages for injury committed by the dog, and it is not necessary in the action brought therefor to allege or prove that the dog was of a vicious or mischievous disposition or that the owner or keeper of the dog knew that it was vicious or mischievous.

(2) Notwithstanding Subsection (1), neither the state nor any county, city, or town in the state nor any peace officer employed by any of them shall be liable in damages for injury committed by a dog, if:

- (a) the dog has been trained to assist in law enforcement; and
- (b) the injury occurs while the dog is reasonably and carefully being used in the apprehension, arrest, or location of a suspected offender or in maintaining or controlling the public order.

Amended by Chapter 297, 2011 General Session

18-1-2. Dogs acting together -- Actions -- Parties -- Judgment.

Where any injury has been committed by two or more dogs acting together and such dogs are owned or kept by different persons, all such persons may be joined as defendants in the same action to recover damages therefor, and the amount found by the court or jury as damages for such injury shall be apportioned among the several defendants found liable and judgment shall be entered severally against them for the amount so apportioned.

No Change Since 1953

18-1-3. Dogs attacking domestic animals, service animals, hoofed protected wildlife, or domestic fowls.

Any person may injure or kill a dog while:

- (1) the dog is attacking, chasing, or worrying:
 - (a) a domestic animal having a commercial value;
 - (b) a service animal, as defined in Section 62A-5b-102; or
 - (c) any species of hoofed protected wildlife;
- (2) the dog is attacking domestic fowls; or
- (3) the dog is being pursued for committing an act described in Subsection (1) or (2).

Amended by Chapter 22, 2007 General Session